

PROB 12C  
(6/16)

Report Date: June 6, 2022

## **United States District Court**

for the

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

## **Eastern District of Washington**

Jun 06, 2022

## Petition for Warrant or Summons for Offender Under Supervision

SEAN F. MCAVOY, CLERK

Name of Offender: Joel Solorio Espino

Case Number: 0980 1:17CR02040-LRS-1

Address of Offender: Yakima, Washington 98908

Name of Sentencing Judicial Officer: The Honorable Lonny R. Suko, Senior U.S. District Judge

Date of Original Sentence: May 10, 2018

Original Offense: Possession of Firearms in Furtherance of a Drug Trafficking Crime, 18 U.S.C. § 924(c)(1)(A)

Original Sentence: Prison - 30 months  
TSR - 60 months

Type of Supervision: Supervised Release

**Date Supervision Commenced:** September 26, 2019

Defense Attorney: Nick Mirr Date Supervision Expires: September 25, 2024

## **PETITIONING THE COURT**

To incorporate the violations contained in this petition in future proceedings with the violation previously reported to the Court on 3/30/2022, 4/20/2022, 4/25/2022, and 5/18/2022.

On October 1, 2019, supervised release conditions were reviewed and signed by Mr. Espino acknowledging an understanding of his conditions.

The probation officer believes that the offender has violated the following conditions of supervision:

Violation Number	Nature of Noncompliance
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**Special Condition #3:** You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

**Supporting Evidence:** Mr. Espino is alleged to have violated his conditions of supervised release by consuming a controlled substance, fentanyl, between November 18, 2021, through May 18, 2022.

On April 26, 2021, Mr. Espino verbally reviewed the substance abuse testing instructions, acknowledging his understanding of the drug testing program. He was instructed to call the colorline system for Merit Resource Services (Merit) and when his assigned color was called, he was to report and submit to urinalysis (UA).

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On May 11, 2022, Mr. Espino reported to Merit for a substance abuse assessment and submitted to a UA sample. According to the Merit counselor, the sample returned presumptive positive for fentanyl and was sent to Cordant Health Solutions for confirmation. On June 6, 2022, Merit confirmed the UA returned confirmed positive for fentanyl on May 14, 2022.

On May 18, 2022, Mr. Espino reported to Merit and provided a UA sample. The specimen was sent to Alere Toxicology Services, Incorporated (Alere) to be screened for the presence of fentanyl. On this same date, during a telephonic conversation with Mr. Espino, the offender expressed to this officer, that he has been using fentanyl daily for the past 6 months.

On May 25, 2022, Alere reported Mr. Espino's UA sample was confirmed positive for fentanyl.

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**Special Condition #2:** You must undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare upon further order of the court. You must contribute to the cost of treatment according to your ability to pay. You must allow full reciprocal disclosure between the supervising officer and treatment provider.

**Supporting Evidence:** Mr. Espino is alleged to have violated his conditions of supervised release by failing to report to Merit on May 23, 2022, for his substance abuse evaluation results appointment.

On May 12, 2022, Mr. Espino reported to Merit for a substance abuse evaluation. On that same date, he was assessed and given a results appointment for May 23, 2022.

On May 18, 2022, during a telephonic conversation with Mr. Espino, this officer reminded the offender of his scheduled assessment results appointment on May 23, 2022. Mr. Espino verbalized an understanding and confirmed he would return to Merit to complete his assessment on that date.

On May 23, 2022, Merit reported to this officer that Mr. Espino failed to report for his assessment results appointment on this same date.

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**Mandatory Condition #1:** You must not commit another federal, state, or local crime.

**Supporting Evidence:** Mr. Espino is alleged to have violated his conditions of supervised release by obstructing a law enforcement officer and providing false information to a public servant on June 4, 2022, case number 22-009434.

According to the Washington State Patrol (WSP) narrative report for case number 22-009434, the following occurred: On June 4, 2022, at approximately 11:29 a.m., a WSP trooper observed a vehicle, later identified as the vehicle driven by Mr. Espino, on Interstate 82. The vehicle was quickly passing other vehicles and fast approaching the same direction as the trooper. The trooper utilized his radar and observed the vehicle's speed to be 90 miles per hour in the posted 70 mile-per-hour zone.

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Due to the offender's rate of speed, the trooper initiated a traffic stop. Inside the vehicle was Mr. Espino, the driver, and a female passenger. The trooper asked Mr. Espino for his driver's license and vehicle documentation; the offender initially stated he did not have his driver's license on his person. According to the trooper, the offender appeared "nervous and fumbled through his pockets and wallet" as he looked for the requested documentation. Mr. Espino then handed the trooper the female passenger's identification card and stated he had recently obtained a new driver's license and was waiting to receive his new card in the mail.

Consequently, the trooper asked Mr. Espino to provide him with his name, date of birth, height, and weight. The offender identified himself as Juvenal Espino. According to the report, the trooper noted the offender appeared "untruthful" when answering his questions. Mr. Espino paused and thought about each question before providing the trooper with the requested personal identifiers. The trooper warned Mr. Espino that if the personal information he provided him did not match his true name he would be arrested for obstruction. Mr. Espino confirmed the information he provided was correct and indicated a search would return with a picture of the offender. Using the personal information provided by Mr. Espino, the trooper ran the offender's information through the Washington State Department of Licensing (DOL) and learned Mr. Espino did not provide him with his true personal information. In order to properly identify the offender, the trooper placed Mr. Espino in handcuffs and detained him.

Mr. Espino was adamant that he provided the trooper with his true information. However, the offender was unable to provide accurate identifying information related to the false name he provided the trooper. Therefore, the trooper read Mr. Espino his Constitutional Rights and asked him for his name and date of birth once again. The offender admitted his license was suspended and provided the trooper with his true name and date of birth. Mr. Espino admitted he previously gave the trooper his brother's name and personal information.

Mr. Espino was taken into custody for an active probation violation warrant. The offender was booked into the Yakima County Jail and was cited for speeding. Charges for obstruction of a law enforcement officer and providing false information to a public servant were also referred.

The U.S. Probation Office respectfully recommends the Court to incorporate the violations contained in this petition in future proceedings with the violations previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: June 6, 2022

s/Araceli Mendoza

Araceli Mendoza  
U.S. Probation Officer

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**THE COURT ORDERS**

- No Action
- The Issuance of a Warrant
- The Issuance of a Summons
- The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- Defendant to appear before the Judge assigned to the case.
- Defendant to appear before the Magistrate Judge.
- Other



Signature of Judicial Officer

June 6, 2022

Date